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Letter dated 18 July 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 10 April 2002 (S/2002/395).

The Counter-Terrorism Committee has received the attached supplementary report from Australia, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present latter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant
to resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 24 June 2002 from the Permanent Representative of Australia to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I refer to your letter of 1 April 2002, in which you sought information on a number of points arising from the first report of Australia to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001). You will find attached a supplement to Australia's first report responding to each of the matters raised in your letter (see enclosure).

Australia's first report highlighted significant changes to Australia's legal framework in relation to preventing, suppressing and prosecuting terrorism that would be put to the Australian Parliament when it resumed in 2002. These changes, contained within the Security Legislation Amendment (Terrorism) Bill 2002, the Criminal Code Amendment (Suppression of Terrorist Bombings) Bill 2002, the Suppression of the Financing of Terrorism Bill 2002, the Border Security Legislation Amendment Bill 2002 and the Telecommunications Interception Legislation Amendment Bill 2002, were introduced to Parliament in March 2002. Since then, they have been the subject of extensive and considered deliberation by the Senate Legal and Constitutional Affairs Committee and discussions within the Government, and modifications to the legislative package in response to these consultations were introduced in Parliament earlier this month.

When these Bills become law, Australia will submit a revised report to the Counter-Terrorism Committee, consolidating the full range of changes arising from the new legislation, as well as the information contained in this supplement.

(*Signed*) John **Dauth**

Enclosure

Supplement to first report of Australia to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001

Sub-paragraph 1(a):

Could Australia please clarify whether the existing provisions in the laws and regulations referred to in the report in relation to this sub-paragraph can readily be extended to persons identified by other countries as supporters of terrorism.

1. The measures described in paragraphs 2 and 3 of the Australian report (under the *Banking (Foreign Exchange) Regulations* and under the *Financial Transactions Reports Act 1988*) that were taken in relation to persons and entities identified in US Executive Order 13224 could have been taken in relation to names provided by other countries. The measures under the *Banking (Foreign Exchange) Regulations* were superseded by the *Charter of the United Nations (Anti-terrorism Measures) Regulations* referred to in paragraphs 7 and 9 of Australia's report. The Gazettal procedure provided for in the Regulations to identify the persons and entities (and assets) to which the Regulations are to apply also allows persons identified by other countries as supporters of terrorism to be subjected to the Regulations.

Are natural or legal persons (eg attorneys, notaries and other intermediaries) required to report suspicious transactions to the public authorities and, if so, what penalties apply if such persons omit to report, either wilfully or by negligence?

2. As mentioned in paragraph 3 of Australia's report, any cash dealer that has reasonable grounds to suspect that information concerning a transaction, or an attempted transaction, may be relevant to the investigation of a breach of a law in Australia, must make a report to the Director of the Australian Transaction Reports and Analysis Centre (AUSTRAC). The definition of cash dealer is given in paragraph 4 of Australia's report. It can include natural and legal persons. In addition, under the *Financial Transactions and Reports Act 1988* solicitors, solicitor corporations, or partnerships of solicitors must report to the Director of AUSTRAC significant cash transaction entered into by them or on their behalf in the course of their legal practice (section 15A).

3. Refusal or failure of a natural or legal person obliged to report transactions under the Act to make such a report is an offence. The maximum penalty for the offence in the case of a natural person is 2 years imprisonment and / or a maximum fine of 120 penalty units (for the value of a penalty unit, see section 4AA of the *Crimes Act 1914*. The present value of a penalty unit is A$110). The maximum penalty in the case of a legal person is 600 penalty units (section 28).

4. The Act also makes it an offence to intentionally make false or misleading statements (including through omission) in relation to reporting, accountancy and transaction obligations under the Act. The maximum penalty for the offence in the case of a natural person is 5 years imprisonment and / or a maximum fine of 300 penalty units. The maximum penalty in the case

of a legal person is 1500 penalty units (section 29). Conducting transactions deliberately so as to avoid reporting requirements is an offence punishable by the same penalty (section 31).

5. Knowingly making an incomplete report of a transaction that must be made under the Act, or knowingly keeping incomplete records that must be kept under the Act, is also an offence, attracting a maximum penalty of 10 penalty units in the case of a natural person or 50 penalty units in the case of a legal person (section 30).

How are the federal laws relating to anti-terrorism enforced by the States and Territories and how is coordination amongst the implementing agencies of the States and Territories achieved?

6. Australia's nation-wide counter-terrorist capability and preparedness is coordinated through the Standing Advisory Committee on Commonwealth/State Cooperation for Protection Against Violence (SAC-PAV). Following the Prime Minister's Summit on Terrorism and Transnational Crime in April 2002 (see paragraphs 35-36 below), the SAC-PAV is to be renamed the National Counter-Terrorism Committee with a broader mandate to include consequence management. The SAC-PAV administers the National Anti-Terrorist Plan which provides cooperative arrangements for all Australian governments to prevent, respond, investigate and manage the consequences of terrorism.

7. The major purpose of the SAC-PAV is to propose to heads of government in Australia steps to ensure nation-wide readiness and cooperation between relevant Federal and State and Territory Government security, law enforcement and intelligence agencies for the protection of Australia from terrorism. Standing and ad hoc sub-committees, project, and working groups are established by the SAC-PAV to develop and manage specific aspects of the national counter-terrorist capability and arrangements.

8. The SAC-PAV comprises senior Federal and State/Territory departmental officials and police officers. It normally meets twice per year, unless special circumstances make additional meetings necessary. The Protective Security Coordination Centre in the Federal Attorney-General's Department is responsible for managing the SAC-PAV program.

Sub-paragraph 1(c):

Please clarify whether the Charter of the UN (Anti-terrorism Measures) Regulations permit the freezing, at the request of another country, of the assets of persons who may be supporting terrorism in that other country. Does the definition of "asset" cover economic resources and related services?

9. As mentioned in paragraph 1 above, the Gazettal procedure provided for in the Charter of the United Nations (Anti-terrorism Measures) Regulations to identify the persons and entities (and assets) to which the Regulations are to apply permits the freezing, at the request of another country, of the assets of persons who may be supporting terrorism in that other country.

10. The Regulations (Regulation 6) define "asset" to include (but not be limited to) the following:

(a) funds;
(b) financial assets;
(c) tangible and intangible assets;
(d) property rights;
(e) publicly and privately traded securities;
(f) publicly and privately traded debt instruments;
(g) income from, or proceeds from the sale of, assets mentioned in paragraphs (a) to (f).

11. It is the view of the Australian Government that "economic resources and related services" would fall within the meaning of "asset" in the Regulations.

Sub-paragraph 1(d):

Does Australia have any system for the regulation or control of alternative money transfer arrangements such as the "Hawalah" system?

12. Alternative money transfer businesses must comply with requirement of the *Financial Transaction Reports Act 1988*, including filing of suspicious transaction reports, significant transaction reports and international funds transfer instruction reports. Australia has a "High Risk Cash Dealer" program, administered by AUSTRAC, that seeks to identify high risk cash dealers, to educate such dealers with respect to their reporting and identification obligations and to take compliance action where necessary. Alternative money transfer businesses are defined as cash dealers under the *Financial Transaction Reports Act 1988* and are included in this program.

How does the financial tracking system ensure that funds received by charitable and similar associations are not diverted from the associations' stated purpose to terrorist activities?

13. In order for charitable institutions and similar associations to effectively conduct their activities and maximise their income, they may choose to formalise their association at law and apply for tax concessions of various types. In both cases, Federal and State laws require entities to register, provide identification credentials and meet qualification requirements.

14. All customer based International Funds Transfer Instructions (wire transfers) are reportable to AUSTRAC. These transactions along with other reportable transactions are stored on a single database (over 50 million reports). Activity is monitored using special software to isolate anomalous transactions, groups of transactions and related networks. Unusual financial activity is communicated to law enforcement and revenue agencies for investigation. There is no onsite inspection of records held by charitable organisations.

15. The Suppression of the Financing of Terrorism Bill 2002 will create a crime of providing or collecting funds to facilitate a terrorist act. Furthermore, the *Financial Transaction Reports Act 1988* requires that cash dealers report all transactions over $10,000 as well as suspicious transactions, and fraud is a crime under the Federal Criminal Code.

Sub-paragraph 2(e)

Are the relevant provisions of the Criminal Code applicable in all of the following circumstances:

(a) acts committed outside Australia by a person who is a citizen of, or habitually resident in, Australia (whether that person is currently present in Australia or not);

(b) acts committed outside Australia by a foreign national who is currently in Australia?

16. The amendments to the *Criminal Code Act 1995* referred to in paragraph 44 of Australia's report and to which this question relates were introduced in Parliament in March 2002. The majority of the proposed new terrorist offences that will be created once the amendments are adopted by Parliament would apply in both circumstances (a) and (b). Specifically, the offences relating to terrorist acts (including engaging in a terrorist act and related offences such as providing or receiving training connected with terrorist acts and directing organisations concerned with terrorist acts) and the financing of terrorism will apply both to acts committed outside Australia by an Australian citizen or resident and acts committed outside Australia by a foreign national who is currently in Australia. If a person who is not an Australian citizen commits a terrorist or terrorist financing offence in a foreign country, a prosecution for that offence must not be commenced without the Attorney-General's consent. This enables the Attorney-General to have regard to certain considerations with international law implications before deciding whether a prosecution should be commenced, such as current international law, practice and comity, international relations and prosecution action that is being or that might be taken in another country.

17. The proposed offences relating to terrorist bombings will apply in the circumstances outlined in (a). Specifically, the offences will apply if committed outside Australia:

- by a person who is a citizen of Australia; or
- by a stateless person who is habitually resident in Australia.

18. The offences will also apply in the circumstances outlined in (b), that is, if committed outside Australia by a foreign national who is currently in Australia, but only if the offence is committed:

- against an Australian citizen or corporation;
- against an Australian government facility located outside Australia;
- with the intention of compelling an Australian legislative, executive or judicial institution to do or omit to do an act; or
- if the relevant conduct is subject to the jurisdiction of another State Party to the Convention for the Suppression of Terrorist Bombings established in accordance with Article 6 paragraphs 1 or 2, and the person is in Australia.

19. No prosecution for a terrorist bombings offence can be commenced without the Attorney-General's consent. To issue this consent, the Attorney-General must have regard to the scope and terms of the Convention for the Suppression of Terrorist Bombings, as well as whether an offence has occurred or a prosecution has or will be commenced under the law of an Australian State or Territory.

Sub-paragraph 2(f)

The report states that the Mutual Assistance in Criminal Matters Act 1987 applies subject to any mutual assistance treaty between Australia and another country, and to any multilateral assistance treaty to which both are parties. In the absence of a relevant treaty, does the Act permit assistance to a country in case of need? In this context, an explanation of the expression "other forms of international assistance" would be of assistance.

20. The absence of a treaty does not prevent Australia making or granting a request for mutual assistance under the *Mutual Assistance in Criminal Matters Act*. Reference to "other forms of international assistance" includes requests for non-coercive measures such as taking voluntary statements or serving criminal process.

Sub-paragraph 2(g)

Could Australia please provide the CTC with information on the mechanism for inter-agency coordination between the authorities responsible for narcotics control, financial tracking, border control and security with particular regard to the border controls preventing the movement of terrorists. Is the Taskforce also responsible for this coordination?

Heads of Commonwealth Operational Law Enforcement Agencies

21. At the policy level, the Heads of Commonwealth Operational Law Enforcement Agencies (HOCOLEA), formed in 1989, facilitates cooperation and coordination between Australia's law enforcement and revenue agencies at the highest levels. HOCOLEA was endorsed by the Federal Government as the primary consultative mechanism for law enforcement policy issues extending beyond the responsibilities of the Federal Attorney-General's portfolio.

22. HOCOLEA membership is drawn from the Attorney-General's Department, Australian Competition and Consumer Commission, Australian Customs Service, Australian Federal Police, Australian Securities and Investments Commission, Australian Prudential and Regulatory Authority, Australian Taxation Office, Australian Transaction Reports and Analysis Centre, Department of Immigration, Multicultural and Indigenous Affairs, Commonwealth Director of Public Prosecutions and the National Crime Authority.

23. HOCOLEA has sought to address key emerging law enforcement and regulatory challenges through the creation of inter-agency working groups. Two such groups are the Identity Fraud Working Group and the Action Group into the Law Enforcement Implications of Electronic Commerce.

24. At the operational level agencies that have responsibility for issues such as narcotics control, financial tracking, border control and security (ie. the Australian Federal Police, the Australian Customs Services, the National Crime Authority, Australian Transaction Reports and Analysis Centre) work closely together both informally and through major task forces.

National Crime Authority Agio Task Force

25. This task force comprises the National Crime Authority, the Australian Customs Service, the Australian Federal Police, the Australian Securities and Investment Commission, the Australian Tax Office, the Australian Bureau of Criminal Intelligence and the Australian Transaction and Reports Analysis Centre (AUSTRAC). It analyses and value adds to matters identified through AUSTRAC's automated monitoring of the AUSTRAC financial database. The task force arrangements under the *National Crime Authority Act* provides a legislative basis for sharing intelligence holdings of each agency to develop unusual and suspicious patterns of financial activity to a level of operational interest. Matters are then disseminated to law enforcement or security agencies for investigation. This task force provides an effective mechanism for the coordination of target development and ultimate investigation of criminal matters.

Australasian Police Ministers Council (APMC)

26. The Australasian Police Ministers' Council (APMC), established in 1980, is a consultative body that meets twice a year to promote a coordinated national response to law enforcement issues and to maximise the efficient use of police resources. Special meetings on subjects of high sensitivity and/or urgency are called as required. The Council comprises the Australian State and Territory Police Ministers, the Federal Minister for Justice and Customs and the New Zealand Police Minister.

27. The initial role of the APMC was to establish the National Common Police Services (Australian Bureau of Criminal Intelligence, Australian Institute of Police Management, Australasian Centre for Policing Research, National Crime Statistics Unit, National Institute of Forensic Science) and to develop a coordinated approach to policing policy and operations. Since its establishment, the APMC has broadened its role to include the coordination of the national response to organised crime and the cooperative efforts needed to achieve that goal. The APMC will be considering a range of law enforcement issues, including implementation of the outcomes of the Prime Minister's Summit on Terrorism and Transnational Crime (see paragraphs 35-38 below), at its upcoming meeting in July 2002.

Office of Strategic Crime Assessments (OSCA)

28. The Office of Strategic Assessments (OSCA) supports the strategic decision-making of the Minister for Justice and Customs and Federal law enforcement agencies through the provision of strategic assessments of emerging threats and opportunities which are likely to impact on Australia. These assessments have a five year time horizon and incorporate a whole of government perspective. Currently within the Federal Attorney-General's Department, OSCA

will become part of the Australian Crime Commission (see paragraph 37 below) when it is established.

Sub-paragraph 3(d)

What are the intentions of Australia in regard to ratifying the Convention on the Marking of Plastic Explosives for the Purpose of Detection 1991?

29. The Australian Government is reviewing its position on the Convention on the Marking of Plastic Explosives for the Purpose of Detection 1991.

Please provide a report on the progress made with the ratification and implementation of the International Convention for the Suppression of the Financing of Terrorism and the International Convention for the Suppression of Terrorist Bombings.

30. Australia's ratification of the International Convention for the Suppression of the Financing of Terrorism and accession to the International Convention for the Suppression of Terrorist Bombings is subject to completion of the following domestic requirements:

- passage of implementing legislation;
- tabling of the text of the Conventions in both Houses of Parliament for a period of 15 Parliamentary sitting days;
- the tabling of a report into each Convention by the Parliament's Joint Standing Committee on Treaties; and
- approval of the Governor-General in Council to the ratification and accession to the Conventions.

31. On 12 March 2002, the Australian Government introduced the necessary implementing legislation in Parliament: the Criminal Code Amendment (Suppression of Terrorist Bombings) Bill and the Suppression of the Financing of Terrorism Bill. The Bills were referred to the Senate's Legal and Constitutional Committee on 15 March, which recommended on 8 May 2002 only minor amendments to the Suppression of the Financing of Terrorism Bill and no amendments to the Criminal Code Amendment (Suppression of Terrorist Bombings) Bill. The Government tabled amendments to the Suppression of the Financing of Terrorism Bill on 20 June. Both Bills are expected to be passed by Parliament by the end of June 2002.

32. The text of the International Convention for the Suppression of Terrorist Bombings was tabled in both houses of Parliament on 12 March 2002. Fifteen sitting days from this date is 25 June 2002. The Joint Standing Committee on Treaties tabled its report in relation to the Convention on 24 June 2002, recommending that Australia accede to the Convention. Subject to successful passage of the implementing legislation, Australia is therefore likely to accede to the International Convention for the Suppression of Terrorist Bombings in July 2002.

33. The text of the International Convention for the Suppression of the Financing of Terrorism was tabled in both houses of Parliament on 18 June 2002. Fifteen sitting days from this date is 29 August 2002. Subject to the report of the Joint Standing Committee on Treaties and to successful passage of the implementing legislation, Australia is likely to ratify the International Convention for the Suppression of the Financing of Terrorism in September 2002.

Paragraph 4

Has Australia addressed any of the concerns expressed in paragraph 4 of the Resolution?

34. Since Australia's report, Australia has participated in several initiatives undertaken to enhance national, regional and international coordination of effort in response to terrorism and other trans-national criminal activity.

National Level

35. On 5 April 2002 the Prime Minister convened a Summit on Terrorism and Transnational Crime. The Summit was attended by the Premiers of the States and the Chief Ministers of the self governing Territories and agreed on 20 initiatives to enhance the framework for dealing with Terrorism and Transnational Crime at the national level under Australia's federal system.

36. In relation to terrorism, the Summit agreed that:

- the Federal Government would have clear responsibility for "national terrorist situations", including attacks on Federal Government targets, attacks across jurisdictions, threats against civil aviation and those involving chemical, biological, radiological and nuclear materials;

- the Australian States and Territories would take whatever action was necessary to ensure that terrorists could be prosecuted under their criminal law and that the States would refer sufficient power to the Federal Government to enable it to enact comprehensive anti-terrorism laws. (This referral of power from one level of government to another is necessary under Australia's Constitution to provide the Federal Government with plenary power to enact such laws);

- all jurisdictions would review their legislation and counter-terrorism arrangements to make sure that they are appropriate to meet the new terrorist environment;

- the existing Standing Advisory Committee on Commonwealth/State Cooperation for Protection Against Violence (SAC-PAV) would be reconstituted as the National Counter-Terrorism Committee, with a broader mandate to cover prevention and consequence management issues.

37. In relation to organised crime, the Summit agreed:

- to replace the National Crime Authority (NCA) with an Australian Crime Commission (ACC) that built on the important features of the NCA for effective national law enforcement

operation in partnerships with Australian State and Territory police forces. (The ACC will come into operation by 31 December 2002);

- that the ACC would be focussed on criminal intelligence collection and establishment of national intelligence priorities, with access to taskforce investigative capability to give effect to its intelligence functions and to support its overall operations.

38. In relation to arrangements for dealing with multi-jurisdictional crime, leaders agreed to a number of significant reforms, including a possible reference of power in relation to money-laundering, which would permit the Federal Government to enact more comprehensive money laundering laws.

Regional Level

Australian Federal Police Law Enforcement Cooperation Program (LECP)

39. The Australian Federal Police's (AFP) Law Enforcement Cooperation Program (LECP) plays a critical role in international cooperation with law enforcement agencies. Officers in the network form the link between countries, facilitating the exchange of information as well as enhancing communication and understanding by attending international conferences and seminars, promoting the LECP and building a rapport with law enforcement officers of their host country.

40. The goals of the LECP include:

- strengthening the capability of overseas law enforcement agencies to gather information and evidence against illicit drug traffickers through education and training programs for the practitioner and modest provision of equipment;

- developing a greater capacity to meet Australia's international priorities by being able to more effectively gather international law enforcement intelligence to support AFP operations;

- improving law enforcement infrastructure of specified countries within program and operational understanding of international crime; and

- fostering closer personal and institutional linkages.

Pacific Islands Forum (PIF)

41. The PIF represents the Heads of Government of all the independent and self-governing Pacific Island countries, including Australia. It provides member nations with the opportunity to express their joint political views and to co-operate in areas of political and economic concern. There are 16 members. On 26 September 2001 the Chairman of the Forum, HE Rene Harris, issued a Press Statement condemning international terrorism and reaffirming the PIF's support for international co-operation aimed at the eradication of international terrorism.

Forum Regional Security Committee (FRSC)

42. The FRSC is the mechanism through which the PIF co-ordinates regional law enforcement initiatives and disseminates information to facilitate contact and co-operation among specialist agencies, as well as to provide advice to Forum Leaders on law enforcement issues. The FRSC met from 12 to 14 June 2002. It discussed the outcomes of the US-sponsored counter terrorism workshop held in Hawaii in March 2002 and reaffirmed the commitment of its members to further develop regional initiatives to counter terrorism.

43. In particular, the FRSC identified and discussed the linkages between the requirements of United Nations Security Council Resolution 1373 and the Forum's Honiara Declaration on Law Enforcement Co-operation (see paragraph 45 below). A draft Suva Declaration on Law Enforcement Co-operation will be submitted to the next Pacific Islands Forum meeting to be held in August 2002. In the meantime an expert FRSC group, including Australia, has been formed to further develop the initiatives, including extradition legislation, mutual assistance in criminal matters legislation, proceeds of crime legislation and money laundering legislation.

Pacific Islands Law Officers' Meeting (PILOM)

44. PILOM is an annual meeting of senior legal and policy advisers to governments in the South Pacific. It works closely with the Forum Secretariat and other Pacific Island Forum bodies (such as the FRSC) to address legal and legislative issues which are referred by the Forum or which are identified as a common concern. Under the Honiara Declaration on Law Enforcement Co-operation, PILOM works with the Forum Secretariat to provide and review draft legislation to jurisdictions in the areas of extradition, mutual assistance in criminal matters, forfeiture of the proceeds of crime, money laundering and drugs.

45. The Honiara Declaration addressed terrorism in the following terms:

> "The Forum recognised terrorism as a threat to the political and economic security of the region, and noted the various international conventions in the field. It identified areas of possible cooperation amongst Forum governments, particularly in intelligence gathering, training of personnel and joint exercises in dealing with serious incidents. While recognising the primary role of other networks, particularly police, in addressing this area, the Forum agreed that Forum programmes, particularly in the civil aviation area, should continue to take account of terrorism concerns."

46. The next PILOM will be held from 15 to 17 October 2002 in Samoa. Australia understands that the development of appropriate legislative responses to terrorism will be on the agenda.

South Pacific Chiefs of Police Conference (SPCPC)

47. The SPCPC is an annual meeting of regional Chiefs of Police organisations. The organisation comprises 21 members. Among the many operational issues being considered by

the SPCPC are the suppression of terrorism, increased co-operation and exchange of information between regional police forces, implementation of Resolution 1373 and the UN Convention Against Transnational Organised Crime, input to the development of regional model drugs legislation and the development of Combined Law Agency Groups to address operational issues of common concern. The SPCPC works closely with customs and immigration administrations in the South Pacific region.

Oceania Customs Organisation (OCO)

48. OCO brings together 23 customs administrations covering Australasia, Melanesia, Micronesia and Polynesia to discuss customs issues of common concern. OCO held its annual conference from 8 to 12 April 2002 at the Wallis and Futuna islands. OCO has produced discussion papers and communiqués on the customs aspects of law enforcement to implement Resolution 1373 and the UN Convention Against Transnational Organised Crime. These papers are being used to set the OCO Strategic Plan for 2002-2004. OCO works closely with the Pacific Immigration Directors Conference (see paragraph 49 below) to support efforts to establish intelligence infrastructures in their administrations.

Pacific Immigration Directors Conference (PIDC)

49. The PIDC provides an opportunity for senior officials in South Pacific immigration administrations to discuss the immigration aspects of law enforcement activities in the region. The PIDC formed a working group on terrorism in February 2002. The working group is considering a framework to comply with Resolution 1373 in the context of immigration issues, as well as an immigration compliance framework for the UN Convention Against Transnational Organised Crime. The PIDC is also assisting members to review and address their immigration legislation with particular regard to security related concerns such as people smuggling, illegal migration and terrorism.

Regional Weapons Control legislation

50. An OCO/SPCPC subcommittee has examined a common approach to weapons control in the South Pacific region. Under the "Nadi Framework", a draft model Bill on Weapons Control was produced at the 2001 meeting of the FRSC. The Law and Order Committee of FILOM provided the Forum Secretariat with suggested amendments to improve the draft model legislation. This exercise is expected to be completed during 2002-2003. Australia sees this as a continuing priority, in order to deprive potential terrorists of access to weapons in the region.

ASEAN Regional Forum

51. Australia and Thailand co-chaired an ASEAN Regional Forum (ARF) Workshop on Prevention of Terrorism in Bangkok from 17 to 19 April 2002. The meeting was attended by all 23 ARF participating States. The Workshop succeeded in its main goal of enabling participants to gain a greater understanding of practical measures required to prevent terrorist activity. Discussion focused on border controls, security for major international events and aviation

security. The Workshop produced a set of practical recommendations for further and better sharing of information among ARF member States.

52. Australia also participated in an ARF Workshop on Financial Measures against Terrorism in Honolulu from 25 to 27 March 2002. The Workshop, co-chaired by the United States and Malaysia, was attended by 21 of 23 ARF members. It produced a draft ARF Statement on Terrorist Financing that will be submitted to the ARF Ministerial Meeting in Brunei on 31 July 2002.

International Level

The Commonwealth

53. At the Commonwealth Heads of Government Meeting (CHOGM), held in Australia from 2 to 5 March 2002, Commonwealth Heads of Government issued the Coolum Communiqué to endorse the Commonwealth Plan of Action to combat terrorism. The Plan of Action includes provision of legal assistance and capacity building to implement Resolution 1373, other measures to increase law enforcement co-operation and measures to combat money laundering and the financing of terrorism.

54. Arising from the Senior Officials of Law Ministries Meeting in November 2001, the Commonwealth Secretariat has prepared a paper concerning issues which Commonwealth jurisdictions can use to address UN Security Council Resolutions on terrorism.

55. The Commonwealth Law Ministers Meeting will be held in St Vincent and The Grenadines from 18 to 22 November 2002. Matters to be discussed include a review of the Commonwealth extradition and mutual assistance schemes to increase their applicability to terrorism and legal assistance to members to ratify and implement the UN counter-terrorism instruments.